

Jeffrey N. Pomerantz, Esq.
Andrew W. Caine, Esq.
(admitted *pro hac vice*)
PACHULSKI STANG ZIEHL & JONES LLP
10100 Santa Monica Boulevard
Los Angeles, California 90067-4100
Telephone: (310) 277-6910
Telecopy: (310) 201-0760

- and -

Lynn L. Tavenner, Esq. (VA Bar No. 30083)
Paula S. Beran, Esq. (VA Bar No. 34679)
TAVENNER & BERAN, PLC
20 North Eighth Street, 2nd Floor
Richmond, Virginia 23219
Telephone: (804) 783-8300
Telecopy: (804) 783-0178

*Counsel to the Circuit City Stores, Inc.
Liquidating Trust*

Robert J. Feinstein, Esq.
(admitted *pro hac vice*)
PACHULSKI STANG ZIEHL & JONES LLP
780 Third Avenue, 36th Floor
New York, New York 10017
Telephone: (212) 561-7700
Telecopy: (212) 561-7777

*Counsel to the Circuit City Stores, Inc.
Liquidating Trust*

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
RICHMOND DIVISION

In re:)	
)	Chapter 11
)	
CIRCUIT CITY STORES, INC., <u>et al.</u> ,)	1Case No. 08-35653 (KRH)
)	
Debtors.)	Jointly Administered
_____)	

**ORDER SUSTAINING LIQUIDATING TRUST'S OBJECTION TO
CLAIM NOS. 12927, 12928, 12929, 13593 AND 13594 FILED
BY THE STATE OF CALIFORNIA FRANCHISE TAX BOARD**

THIS MATTER having come before the Court¹ on the Liquidating Trust's Objection to Claim Nos. 12927, 12928, 12929, 13593 and 13594 (the "Objection"), which requested, among other things, that the California FTB Claims be disallowed in their entirety for the reasons set forth in the Objection; and it appearing that due and proper notice and service of the Objection as set

¹ Capitalized terms not otherwise defined herein shall have the meanings ascribed to them in the Objection.

forth therein was good and sufficient and that no other further notice or service of the Objection need be given; and it appearing that the relief requested on the Objection is in the best interests of the Liquidating Trust, the Debtors' estates and creditors and other parties in interest; and after due deliberation thereon good and sufficient cause exists for the granting of the relief as set forth herein,

IT IS HEREBY ORDERED ADJUDGED AND DECREED THAT:

1. The Objection is SUSTAINED.
2. Claim 12927 shall be disallowed in its entirety for all purposes in the Debtors' Cases.
3. Claim 12928 shall be disallowed in its entirety for all purposes in the Debtors' Cases.
4. Claim 12929 shall be disallowed in its entirety for all purposes in the Debtors' Cases.
5. Claim 13593 shall be disallowed in its entirety for all purposes in the Debtors' Cases.
6. Claim 13594 shall be disallowed in its entirety for all purposes in the Debtors' Cases.
7. The Liquidating Trust's rights to object to any claim including (without limitation) the California FTB Claims subject to the Objection, on any grounds that applicable law permits, are not waived and are expressly reserved.
8. The Liquidating Trust shall serve a copy of this Order on the California FTB on or before five (5) business days from the entry of this Order.
9. This Court shall retain jurisdiction to hear and determine all matters arising

from or relating to this Order.

Dated: Richmond, Virginia
_____, 2011

HONORABLE KEVIN R. HUENNEKENS
UNITED STATES BANKRUPTCY JUDGE

WE ASK FOR THIS:

TAVENNER & BERAN, PLC

/s/ Paula S. Beran

Lynn L. Tavenner (VA Bar No. 30083)
Paula S. Beran (VA Bar No. 34679)
20 North Eighth Street, 2nd Floor
Richmond, Virginia 23219
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Trust*

CERTIFICATION OF ENDORSEMENT UNDER LOCAL RULE 9022-1(C)

Pursuant to Local Bankruptcy Rule 9022-1(C), I hereby certify that the foregoing proposed order has been endorsed by or served upon all necessary parties.

/s/ Paula S. Beran

Paula S. Beran